

EXHIBIT “E”

Code Enforcement Officer for the Village of Monticello, a public servant, acting in concert and together, did knowingly, intentionally and unlawfully accept or agree to accept a benefit from persons engaged by the aforesaid defendants to effect the unauthorized demolition of the former Village of Monticello Justice Court located on Pleasant Street in the Village of Monticello, said benefit being a deeply and unreasonably discounted demolition fee, upon an agreement that their vote, opinion, judgment, action,

decision or exercise of discretion as public servants would thereby be influenced, such that the aforesaid defendants entered into an understanding with those persons pursuant to which the aforesaid defendants would, through use of their positions as public servants, funnel further contracting and/or demolition work to those persons engaged to effect the aforesaid unauthorized courthouse demolition.

[NEW YORK STATE PENAL LAW § 200.10]

COUNT TWO

AND THE GRAND JURY OF THE COUNTY OF SULLIVAN, by this Indictment, does hereby further accuse the defendants, ~~XXXXXXXXXXXXXXXXXXXX~~ JAMES SNOWDEN, acting in concert and together, of the crime of CRIMINAL MISCHIEF IN THE SECOND DEGREE, committed as follows:

Between the 30th day of September and the 4th day of October 2013, on Pleasant Street in the Village of Monticello, County of Sullivan, State of New York, the defendants, ~~XXXXXXXXXXXXXXXXXXXX~~ JAMES SNOWDEN, acting in concert and together, did knowingly, unlawfully and with intent to damage property of another person, and having no right to do so nor any reasonable ground to believe they had such right, damage property of another person in an amount exceeding one thousand five hundred dollars, to wit: at the aforementioned date and place, the defendants, ~~XXXXXXXXXXXXXXXXXXXX~~ JAMES SNOWDEN, acting in concert and together, did knowingly, unlawfully and with intent to damage property of the Village of Monticello, having no right to do so nor any reasonable ground to believe they had such right, taking action without presentment to or approval of the Village of Monticello Board of Trustees, damage property of the Village of Monticello by engaging persons to effect the unauthorized demolition of the former Village of Monticello Justice Court building, knowing that the building contained unabated asbestos, a substance hazardous or acutely hazardous to public health, safety or the environment, and that any demolition of the aforesaid building required abatement of such asbestos, and knowingly disregarding the requirement for asbestos abatement, causing damages

in excess of one thousand five hundred dollars, said damages actually being in excess of forty thousand dollars.

[NEW YORK STATE PENAL LAW § 145.10]

COUNT THREE

AND THE GRAND JURY OF THE COUNTY OF SULLIVAN, by this Indictment, does hereby further accuse the defendants, ~~XXXXXXXXXXXX~~ JAMES SNOWDEN, acting in concert and together, of the crime of CONSPIRACY IN THE FIFTH DEGREE, committed as follows:

Between the 30th day of September and the 1st day of October 2013, on Pleasant Street in the Village of Monticello, County of Sullivan, State of New York, the defendants, ~~XXXXXXXXXXXX~~ and JAMES SNOWDEN, acting in concert and together, did knowingly, unlawfully and with intent that conduct constituting a felony be performed, agree with one or more persons to engage in or cause the performance of such conduct, to wit: at the aforementioned date and place, the defendants, ~~XXXXXXXXXXXX~~ ~~XXXXXXXXXXXX~~, acting in concert and together with each other, did knowingly, unlawfully and with intent that conduct constituting a felony be performed, said felony being BRIBE RECEIVING IN THE THIRD DEGREE, agree with one or more persons, including each other, to engage in or cause the performance of such conduct, by entering into an understanding with the persons engaged by the aforesaid defendants to effect the unauthorized demolition of the former Village of Monticello Justice Court, on Pleasant Street in the Village of Monticello, pursuant to which the aforesaid defendants would, through use of their positions as public servants, funnel further contracting and/or demolition work to those persons engaged to effect the aforesaid unauthorized courthouse demolition, including the overt acts of negotiating and entering into a contract for the demolition of the aforesaid building at a price of \$5,000, said contract being signed by defendant ~~XXXXXXXXXXXX~~.

[NEW YORK STATE PENAL LAW § 105.05(1)]

COUNT FOUR

AND THE GRAND JURY OF THE COUNTY OF SULLIVAN, by this Indictment, does hereby further accuse the defendants, ~~XXXXXXXXXXXX~~ and JAMES SNOWDEN, acting in concert and together, of the crime of CONSPIRACY IN THE FIFTH DEGREE, committed as follows:

Between the 30th day of September and the 1st day of October 2013, on Pleasant Street in the Village of Monticello, County of Sullivan, State of New York, the defendants, ~~XXXXXXXXXXXX~~ and JAMES SNOWDEN, acting in concert and together, did knowingly, unlawfully and with intent that conduct constituting a felony be performed, agree with one or more persons to engage in or cause the performance of such conduct, to wit: at the aforementioned date and place, the defendants, ~~XXXXXXXXXXXX~~, ~~XXXXXXXXXXXX~~ and JAMES SNOWDEN, acting in concert and together with each other, did knowingly, unlawfully and with intent that conduct constituting a felony be performed, said felony being CRIMINAL MISCHIEF IN THE SECOND DEGREE, agree with one or more persons, including each other, to engage in or cause the performance of such conduct, by, with intent to damage property of the Village of Monticello, and having no right to do so nor any reasonable ground to believe they had such right, taking action without presentment to or approval of the Village of Monticello Board of Trustees, damaging property of the Village of Monticello by engaging persons to effect the unauthorized demolition of the former Village of Monticello Justice Court, causing damages in excess of one thousand five hundred dollars, said damages actually being in excess of forty thousand dollars, including the overt acts of negotiating and entering into an unauthorized contract for the demolition of the aforesaid building at a price of \$5,000, said contract being signed by defendant ~~XXXXXXXXXXXX~~, and representing to the persons engaged to effect the aforesaid unauthorized courthouse demolition that no requirement for abatement of any hazardous substance, specifically asbestos, existed with respect to the aforesaid building.

[NEW YORK STATE PENAL LAW § 105.05(1)]

COUNT FIVE

AND THE GRAND JURY OF THE COUNTY OF SULLIVAN, by this Indictment, does hereby further accuse the defendants, [REDACTED] and JAMES SNOWDEN, acting in concert and together, of the crime of OFFICIAL MISCONDUCT, committed as follows:

Between the 30th day of September and the 1st day of October 2013, in the Village of Monticello, County of Sullivan, State of New York, the defendants, [REDACTED] and JAMES SNOWDEN, acting in concert and together, did knowingly, unlawfully and with intent to obtain a benefit or deprive another person of a benefit, commit an act relating to their offices but constituting an unauthorized exercise of their official functions, knowing that such act was unauthorized, to wit: at the aforementioned date and place, the defendants, [REDACTED], being the Mayor and Acting Village Manager of the Village of Monticello, a public servant holding public office, and JAMES SNOWDEN, being the Code Enforcement Officer for the Village of Monticello, a public servant holding public office, acting in concert and together, did knowingly, unlawfully and with intent to obtain a benefit, said benefit being a deeply and unreasonably discounted demolition fee for the demolition of the former Village of Monticello Justice Court located on Pleasant Street in the Village of Monticello, commit an act relating to their offices, said act being the entry into an agreement with persons engaged by the aforesaid defendants to effect the unauthorized demolition of the aforesaid building, said act being related to their offices but constituting an unauthorized exercise of their official functions, knowing the act was unauthorized, said act having been taken without presentment to or approval of the Village of Monticello Board of Trustees.

[NEW YORK STATE PENAL LAW § 195.00(1)]

COUNT SIX

AND THE GRAND JURY OF THE COUNTY OF SULLIVAN, by this Indictment, does hereby further accuse the defendants, [REDACTED] and JAMES SNOWDEN, acting in concert and together, of the crime of OFFICIAL MISCONDUCT, committed as follows:

Between the 30th day of September and the 1st day of October 2013, in the Village of Monticello,

County of Sullivan, State of New York, the defendants, [REDACTED] and JAMES SNOWDEN, acting in concert and together, did knowingly, unlawfully and with intent to obtain a benefit or deprive another person of a benefit, commit an act relating to their offices but constituting an unauthorized exercise of their official functions, knowing that such act was unauthorized, to wit: at the aforementioned date and place, the defendants, [REDACTED] being the Mayor and Acting Village Manager of the Village of Monticello, a public servant holding public office, and JAMES SNOWDEN, being the Code Enforcement Officer for the Village of Monticello, a public servant holding public office, acting in concert and together, did knowingly, unlawfully and with intent to obtain a benefit, said benefit being a deeply and unreasonably discounted demolition fee for the demolition of the former Village of Monticello Justice Court located on Pleasant Street in the Village of Monticello, commit an act relating to their offices, said act being the entry into an understanding with persons engaged by the aforesaid defendants to effect the unauthorized demolition of the aforesaid courthouse pursuant to which the aforesaid defendants would, through use of their positions as public servants, funnel further contracting and/or demolition work to those persons engaged to effect the aforesaid unauthorized courthouse demolition, knowing that such an understanding was unauthorized and knowing that the Village of Monticello Board of Trustees had not approved their entry into such an understanding.

[NEW YORK STATE PENAL LAW § 195.00(1)]

COUNT SEVEN

AND THE GRAND JURY OF THE COUNTY OF SULLIVAN, by this Indictment, does hereby further accuse the defendants, [REDACTED] and JAMES SNOWDEN, acting in concert and together, of the crime of OFFICIAL MISCONDUCT, committed as follows:

Between the 30th day of September and the 1st day of October 2013, in the Village of Monticello, County of Sullivan, State of New York, the defendants, [REDACTED] and JAMES SNOWDEN,

another person of a benefit, refrain from performing a duty which is imposed upon them by law or was clearly inherent in the nature of their offices, to wit: at the aforementioned date and place, the

~~_____~~, and JAMES SNOWDEN, being the Code

Enforcement Officer for the Village of Monticello, a public servant holding public office, acting in concert and together, did knowingly, unlawfully and with intent to obtain a benefit, said benefit being a deeply and unreasonably discounted demolition fee for the demolition of the former Village of Monticello Justice Court located on Pleasant Street in the Village of Monticello, refrain from performing a duty imposed upon them by law or clearly inherent in the nature of their offices, by failing to ensure the proper abatement of asbestos in the aforesaid former Village of Monticello Justice Court prior to or during their entry into negotiations for and execution by defendant ~~XXXXXXXXXXXX~~ of an unauthorized contract for the demolition of the aforesaid building, said duty being imposed upon them by the Environmental Conservation Law, and, as a result of their failure to perform that duty and their entry into the aforesaid unauthorized building demolition, did endanger the public health, safety or environment by causing asbestos to be released into the air during the aforesaid unauthorized demolition.

[NEW YORK STATE PENAL LAW § 195.00(2)]

COUNT EIGHT

AND THE GRAND JURY OF THE COUNTY OF SULLIVAN, by this Indictment, does hereby further accuse the defendants, ~~XXXXXXXXXXXX~~ and JAMES SNOWDEN, acting in concert and together, of the crime of ENDANGERING PUBLIC HEALTH, SAFETY OR ENVIRONMENT, committed as follows:

Between the 30th day of September and the 4th day of October 2013, in the Village of Monticello, County of Sullivan, State of New York, the defendants, [REDACTED] and JAMES SNOWDEN,

acting in concert and together, did knowingly or recklessly engage in conduct which causes the release of a substance hazardous to public health, safety or the environment, to wit: at the aforementioned date and place, the defendants, ~~XXXXXXXXXXXX~~ JAMES SNOWDEN, acting in concert and together, did knowingly, unlawfully and intentionally engage persons to effect the unauthorized demolition of the former Village of Monticello Justice Court on Pleasant Street in the Village of Monticello, knowing that unabated asbestos was located therein or thereupon, causing the release of a substance hazardous to public health, safety or the environment, said substance being asbestos.

[NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW § 71-2711(3)]

COUNT NINE

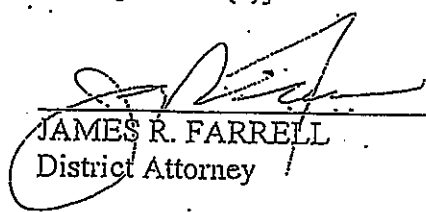
AND THE GRAND JURY OF THE COUNTY OF SULLIVAN, by this Indictment, does hereby further accuse the defendants, ~~XXXXXXXXXXXX~~ and JAMES SNOWDEN, acting in concert and together, of the crime of CRIMINAL NUISANCE IN THE SECOND DEGREE, committed as follows:

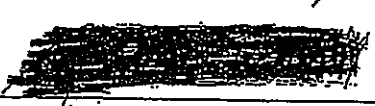
Between the 30th day of September and the 4th day of October 2013, in the Village of Monticello, County of Sullivan, State of New York, the defendants, ~~XXXXXXXXXXXX~~ and JAMES SNOWDEN, acting in concert and together, did knowingly, intentionally and by conduct which was either unlawful in itself or unreasonable under all the circumstances, knowingly or recklessly create a condition which endangered the safety or health of a considerable number of persons, to wit: at the aforementioned date and place, the defendants, ~~XXXXXXXXXXXX~~ and JAMES SNOWDEN, acting in concert and together, did knowingly, intentionally and by conduct which was either unlawful in itself or unreasonable under all the circumstances, knowingly or recklessly create a condition which endangered the safety or health of a considerable number of persons, by engaging persons neither certified nor qualified to abate the asbestos located therein, to effect the unauthorized demolition of the former Village of Monticello Justice Court, knowing that asbestos was located therein, such demolition having been performed without asbestos abatement or any reasonable procedure to prevent the release of asbestos into the public air, such demolition having released a considerable amount of dust and debris

into the air on Pleasant Street in the Village of Monticello, endangering the safety or health of a considerable number of persons, including those living near the site, working on or near the demolition site and any and all passersby.

[NEW YORK STATE PENAL LAW § 240.45(1)]

Dated: August 13, 2014
Monticello, New York


JAMES R. FARRELL
District Attorney



Foreperson



Clerk